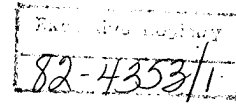


Central Intelligence Agency



Washington, D.C. 20505



OGC 82-01360

14 FEB 1983

Honorable David A. Stockman
Director
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Stockman:

I am writing with regard to Section 6 of the draft Commerce Department/Patent and Trademark Office Authorization Bill for fiscal year 1983, which has been referred to the Central Intelligence Agency by your Office for comment.

Section 6 of the proposed legislation would change the current system for obtaining foreign patents for U.S. inventions. The proposal would permit a patent applicant to determine for himself whether or not dissemination of a patent application overseas in connection with application for a foreign patent would raise national security concerns, and thus require a license. Such determinations are currently the responsibility of the Patent Office, which acts in consultation with the Department of Defense and other agencies which have national defense responsibilities.

We do not believe that this proposal is in accord with the Administration's policy with respect to export controls and the transfer of U.S. technology overseas, or that it would be a workable means of protecting the national security interests of the United States. As you know, concern has recently been expressed over the ability of our nation's adversaries to obtain and utilize American scientific and technical information to the detriment of the United States. A number of means of dealing with this problem are currently under study and discussion. The proposed change in procedures for handling foreign patent applications appears to run directly counter to the thrust of Administration policy in this area. We urge, therefore, that Section 6 be deleted from the draft Bill.

We appreciate the opportunity to comment on this proposed legislation. Please keep us closely informed as to further developments regarding Section 6. We have no other objections to the legislation.

Sincerely,

/s/ B. R. Inman

B. R. INMAN
Admiral, U.S. Navy
Deputy Director of Central Intelligence

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